

ITEM NO.2

COURT NO.2

SECTION IIB

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 6167/2013

(Arising out of impugned final judgment and order dated 22/11/2011 in CRLA No. 56/2006 passed by the High Court Of Gujarat At Ahmedabad)

JAGDISH KUMAR MANILAL PARMAR

Petitioner(s)

VERSUS

STATE OF GUJARAT

Respondent(s)

(With appln(s) for bail, exemption from filing O.T. and office report)

(For Final Disposal)

Date : 25/03/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MRS. JUSTICE R. BANUMATHI

HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Ms. Rukhsana Choudhury, Adv.

For Respondent(s) Ms. Hemantika Wahi, Adv.

Ms. Jesal Wahi, Adv.

Ms. Puja Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

We have heard learned counsel for the parties at considerable length who have taken us through the record including the dying declaration made by the deceased before the Executive Magistrate. The Executive Magistrate's deposition clearly proves that the deceased was in a fit state of mind when she made her dying declaration accusing the petitioner of having poured kerosene oil and lit her on fire. The other evidence adduced in the case also suggests that there used to be frequent quarrels between the petitioner husband and the deceased-wife, as the deceased used to suspect the petitioner of being in an illicit relationship with another woman. On the fateful day, a similar quarrel appears to have erupted culminating in the unfortunate incident in which the deceased lost her life. Both the Courts have concurrently held that the dying declaration

made by the deceased is totally reliable and corroborated by other evidence placed on record. We do not see any reason to take a different view. In the facts and circumstances of the case, the special leave petition fails and is dismissed.

(DEEPAK MANSUKHANI)
COURT MASTER

(VEENA KHERA)
COURT MASTER